

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18227 of 2015

Arising Out of PS.Case No. -162 Year- 2014 Thana -EKMA District- SARAN

- =====
1. Ravindra Giri, son of Late Ram Nath Giri,
 2. Rupak Giri, son of Ravindra Giri,
 3. Deepak Giri, son of Ravindra Giri, all are resident of village- Keshari Mathia, P.S. Ekma, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 28-05-2015

Learned counsel for the Petitioners seeks permission to withdraw this application for anticipatory bail in so far as it relates to Petitioner No.1-Ravindra Giri.

The application is dismissed as withdrawn in so far as Petitioner No.1-Ravindra Giri is concerned.

Heard learned counsel for rest of the Petitioners and the State.

The Petitioner Nos.2 and 3 apprehend their arrest in a case instituted for the offence under Section(s) 302, 201, 307/34 Indian Penal Code.

Considering that since there is no specific allegation against the Petitioner Nos.2 and 3, who have fair antecedents, and the only allegation against them is under Section 201 Indian Penal



Code which is bailable, it is ordered that in the event of surrender/arrest of the Petitioner Nos.2 and 3 i.e. Rupak Giri and Deepak Giri, within four weeks from the date of receipt/production of a copy of this order in connection with Ekma P.S. Case No.162 of 2014, they shall be released on anticipatory bail on furnishing bail bond of ₹5,000/- (five thousand) each with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, subject to the conditions as laid down under Section 438(2) Cr. P. C. and (i) That one of the bailors will be a close relative of the Petitioners, who will give an affidavit giving genealogy as to how he is related with the Petitioners. The bailors will undertake to furnish information to the court about any change in the address of the Petitioners, (ii) That the affidavit shall clearly state that the Petitioners are not accused in any other case and, if they are, they shall not be released on bail, (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the Petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse, (iv) That the Petitioners will give an undertaking that they will receive the

police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (v) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J)

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